

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Philip Sieff, as Trustee for the next-of-kin
of Dawn Marie Pfister, Deceased,

Case No. 15-CV-00419 PAM/DTS

Plaintiff,
v.

Brady Juell, acting in his individual
capacity as a Chaska Police Officer,

**PLAINTIFF'S MOTION FOR AN
AWARD OF COSTS, INCLUDING
REASONABLE ATTORNEYS'
FEES, UNDER 42 U.S.C. § 1988**

Defendant.

Plaintiff Philip Sieff, by and through his undersigned counsel, in accordance with Rule 54(d) of the Federal Rules of Civil Procedure and Local Rule 54.3, hereby moves the Court for an order for costs, including reasonable attorneys' fees under 42 U.S.C. § 1988.

The Court entered Judgment on April 18, 2017 in favor of Plaintiff and against Defendant Brady Juell (Doc. No. 71). The Rule 68 Offer of Judgment and Plaintiff's acceptance of the same provide for judgment in the amount of \$1,000,001.01, plus costs, including reasonable attorneys' fees, under 42 U.S.C. § 1988 (Doc. No. 70). Plaintiff seeks attorneys' fees in the approximate amount of \$865,000.00 and costs in the approximate amount of \$40,000.00. Plaintiff further seeks attorneys' fees in the approximate amount of \$25,000.00 for future work in support of this motion.

Pursuant to Local Rule 54.3, Plaintiff requests the Court set a briefing schedule with Plaintiff's Memorandum and supporting papers due within 21 days of the Order, the Defendant's Memorandum and supporting papers due within 35 days of the Order, and

Plaintiff's Reply Memorandum due within 42 days of the Order. Plaintiff does not request oral argument.

This motion is premised on all the files, records and proceedings herein, including Plaintiff's Memorandum in Support of Motion for Award of Costs, Including Reasonable Attorneys' Fees under 42 U.S.C. § 1988, the Affidavits of Robert Bennett, Brian O'Neill and James H. Kaster.

GASKINS BENNETT BIRRELL SCHUPP,
LLP

Date: April 26, 2017

s/Robert Bennett
Robert Bennett, #6713
Andrew J. Noel, #0322118
Kathryn H. Bennett, #0392087
333 South Seventh Street, #3000
Minneapolis, MN 55402
Telephone: 612-333-9500
rbenett@gaskinsbennett.com
anoel@gaskinsbennett.com
kbennett@gaskinsbennett.com
Attorneys for Plaintiff